

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. DON HARMON

CO-CHAIR:
REP. KEITH WHEELER

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SEN. BILL BRADY
SEN. KAREN McCONAUGHAY
SEN. TONY MUÑOZ
SEN. IRA SILVERSTEIN
SEN. CHUCK WEAVER
REP. PETER BREEN
REP. TOM DEMMER
REP. GREG HARRIS
REP. LOU LANG
REP. ANDRÉ THAPEDI

MINUTES

July 18, 2017

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, July 18, 2017 at 11:00 a.m. in Room C600 of the Michael A. Bilandic Building, Chicago IL.

Co-Chair Harmon called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee meetings. Other persons are encouraged to submit their comments to the JCAR office in writing.

ATTENDANCE ROLL CALL

X Senator Bill Brady	Representative Peter Breen
X Senator Don Harmon	X Representative Tom Demmer
Senator Karen McConnaughay	X Representative Greg Harris
X Senator Tony Muñoz	X Representative Lou Lang
X Senator Ira Silverstein	Representative André Thapedi
X Senator Chuck Weaver	X Representative Keith Wheeler

APPROVAL OF THE MINUTES OF THE JUNE 13, 2017 MEETING

Senator Weaver moved, seconded by Senator Brady, that the minutes of the June 13, 2017 meeting be approved. The motion passed unanimously (9-0-0).

REVIEW OF AGENCY RULEMAKING

Illinois Gaming Board – Video Gaming (General) (11 Ill. Adm. Code 1800; 41 Ill. Reg. 2751) and Video Gaming (General) (11 Ill. Adm. Code 1800; 41 Ill. Reg. 2777)

Caleb Melamed represented IGB. Sen. Harmon said that IGB had planned to request Extension to the August meeting of one rulemaking (2777 – problem gambling) and to withdraw the other (2751 – ownership) in response to a JCAR Objection so that IGB could continue conversation with stakeholders. He asked whether IGB would be amenable to extending both. Mr. Melamed agreed.

Sen. Muñoz moved, seconded by Rep. Demmer, that the Second Notice period for these rulemakings be extended for an additional 45 days.

Rep. Lang asked Mr. Melamed if IGB could provide him with written information as to why the rulemaking on ownership interests was originally proposed, IGB's current concerns with it, and how the negotiations over the rulemaking are proceeding. Mr. Melamed agreed.

The motion was adopted by voice vote, with Sen. Brady and Rep. Lang abstaining (7-0-2).

CONSIDERATION OF OTHER RULEMAKINGS

Illinois State Board of Education -- Transitional Bilingual Education (23 Ill. Adm. Code 228; 41 Ill. Reg. 6687) (Emergency)

Lindsay Bentivegna, Rules Coordinator, represented SBE. Rep. Lang asked why this policy change warranted use of emergency rulemaking.

Ms Bentivegna said that, in March, SBE had found out that one assessment it was using for English language learners (ELL) was being retired for the 2017-18 school year. Because ELL placement testing is done during the school registration period, the new rules needed to be in effect during the summer, and the only way to accomplish this was use of emergency rulemaking. Without this rule change, there would be no assessment for ELLs, so they would likely not receive the services they need.

Rep. Lang asked why the emergency rule wasn't filed until May if the problem was discovered in March. Ms Bentivegna said that the deadline for Board consideration in April had already passed, and thus the earliest meeting at which it could be approved at the Board's May meeting.

Rep. Lang asked if this change should have been done through a procurement process. Ms Bentivegna said that the decision had been made by an interstate consortium and the assessment being adopted was actually freely available online.

CERTIFICATION OF NO OBJECTION

Representative Harris moved, seconded by Senator Silverstein, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously (9-0-0), except that Rep. Lang abstained from voting with respect to Tab 9 (Department of Financial and Professional Regulation – Illinois Credit Union Act (38 Ill. Adm. Code 190; 41 Ill. Reg. 5041).

OTHER BUSINESS

Co-Chair Harmon thanked JCAR Deputy Director Mary Craig of her many years of service to the Committee and congratulated her on her retirement.

ANNOUNCEMENT OF AUGUST MEETING DATE

Co-Chair Harmon announced that the next JCAR meeting would be held at 11:00 a.m. on Tuesday, August 15, 2017, in Room C600 of the Michael A. Bilandic Building, Chicago IL.

ADJOURNMENT

Senator Weaver moved, seconded by Senator Brady, that the meeting stand adjourned. The motion passed unanimously.